

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re:	§	
	§	
WINLAND OCEAN SHIPPING	§	Case No. 15-60007
CORPORATION, et al.,	§	(Jointly Administered)
	§	
Debtors.	§	Chapter 11

ORDER ESTABLISHING NOTICE PROCEDURES

Upon consideration of the motion filed by the above-captioned Debtors¹ to limit notice and establish notice procedures (the “Motion”); and after finding that good and sufficient notice of the Motion having been given and no other notice is necessary; and having determined that the relief sought in the Motion is appropriate in these cases and in the best interest of the Debtors, their creditors and all parties-in-interest; and after due deliberation and after finding sufficient cause therefore; it is THEREFORE

ORDERED that the Motion is GRANTED; it is further

ORDERED that the Notice Procedures set forth in the Motion and this Order (the “Notice Procedures”) shall govern all aspects of the Debtors’ chapter 11 cases; it is further

ORDERED that any creditor, equity interest holder, or party-in-interest that wishes to receive notice in these cases and is not otherwise entitled to notice pursuant to these procedures shall file a notice of appearance (“Notice of Appearance”) and request for service of papers in accordance with Bankruptcy Rules 2002 and 9010(b); it is further

ORDERED that a Notice of Appearance shall include the following information: (a) the party’s name and address; (b) the name of party’s counsel, if applicable; (c) an e-mail address at which the requesting party may be served; (d) an address by which the requesting party may be

¹ All capitalized terms not expressly defined herein are ascribed the meanings assigned in the Motion.

served by mail, hand delivery, and overnight delivery; and (e) a facsimile number for the requesting party (but only if fax service is expressly requested).² Notwithstanding Bankruptcy Rules 2002 and 9019(b), no request for service filed in the chapter 11 cases shall be honored unless the foregoing requirements are satisfied; it is further

ORDERED that the Debtors may prepare and serve on the creditors listed on the Debtors' Consolidated Creditor Matrix a form ('Request for Electronic Notice') offering all parties the opportunity to receive email notices of all pleadings filed in these cases rather than receiving such notices by mail. Upon return of a Request for Electronic Notice to counsel for the Debtors, the Debtors shall file such notice with the Court. Upon the filing of a Request for Electronic Notice with the Court, the Clerk of Court is directed to add the party listed on the Request to the Court's ECF system to receive all notices in these cases; it is further

ORDERED that the Debtors will create a master service list (the "Master Service List") that includes the following parties and/or upon request, their counsel (collectively, the "Service Parties"): (a) the Office of the United States Trustee for the Southern District of Texas; (b) all known or alleged secured creditors; (c) the 30 largest unsecured creditors of the Debtors on a consolidated basis; (d) all known shareholders holding more than 5% of a class of equity interests in any of the Debtors; (e) the Debtors and the Debtors' professionals; (f) government agencies, national, state and local, to the extent required by the Bankruptcy Code, Federal Rules of Bankruptcy Procedure or Local Rules; (g) all statutory committees appointed in these cases; (h) all parties requesting notice under Rule 2002 of the Federal Rules of Bankruptcy Procedure; and (i) all parties on whom the Court orders notice; it is further

² Including a fax number on a notice of appearance shall not be considered a request for fax service. Fax service will only be deemed to have been requested if the notice of appearance specifically states the party's preference for fax service instead of email or traditional mail.

ORDERED that the Service List attached to the Motion as **Exhibit A** shall be considered the initial Master Service List in this case; it is further

ORDERED that beginning on the date of the entry of this Order, the Debtors shall file an updated Master Service List: (i) every seven (7) days during the first thirty (30) calendar days of these cases; (ii) every fifteen (15) days during the next sixty (60) calendar days; and (iii) monthly thereafter throughout the pendency of these cases. The Debtors shall file a notice with the Court for each updated Master Service List; it is further

ORDERED that each party listed on the Master Service List shall be served with a copy of every motion, application, notice, brief, objection, response, memorandum, affidavit, declaration, or other writing filed in these bankruptcy cases (including notices and orders entered by the Court, but not including proofs of claim or proofs of interest) (collectively, "Filings"); it is further

ORDERED that any entity not listed on the Master Service List, but whose rights or interests are directly affected by a particular Filing, shall be served with a copy of such Filing; it is further

ORDERED that the proceedings with respect to which notice would be limited to the Master Service List shall include all matters covered by Federal Rule of Bankruptcy Procedure 2002, with the exception of the following: (i) this Order approving the Notice Procedures; (ii) notice of the first meeting of creditors pursuant to section 341 of the Bankruptcy Code; (iii) the time fixed for filing proofs of claim pursuant to Federal Rule of Bankruptcy Procedure 3003(c); (iv) the time fixed for filing objections to, and the hearings to consider, approval of a disclosure statement and confirmation of a plan of reorganization; and (v) notice and transmittal of ballots

for accepting or rejection a plan of reorganization. Notice of the foregoing excepted matters shall be given to all parties-in-interest listed on the Debtors' Consolidated Creditor Matrix; it is further

ORDERED that the Debtors will serve any pleadings or papers required to be served by the Notice Procedures only by email, if such address is available, or by traditional mail or courier, as available, in the absence of a valid email address. The Debtors will provide fax service only for any entity that specifically requests it and provides a working fax number; and it is further

ORDERED that non-Debtor parties that file pleadings and other documents with the Clerk of the Court shall serve the parties on the Master Service List via e-mail when available and by traditional mail or courier, as available, when no email address is available for any given notice recipient. Parties may also serve documents by fax, but not in lieu of the email and traditional mail methods unless the receiving party so requests; it is further

ORDERED that, upon the completion of noticing any particular matter, the party seeking relief shall file with the Court either an affidavit of service or a certification of service attaching the list of parties that received notice within three (3) business days of service; it is further

ORDERED that, notice of emergency and expedited motions will be provided pursuant to these rules. If a valid email address for a given notice recipient has not been provided, the movant(s) for emergency and expedited motions will only be required to provide notice to such recipient via traditional mail, unless fax service has specifically been requested; it is further

ORDERED that the Debtors may amend the Notice Procedures from time to time throughout the Debtors' chapter 11 cases and shall present such amendments to the Court by motion in accordance with this Order; it is further

ORDERED that this Order shall be immediately effective upon entry; and it is further

ORDERED that this Court shall retain jurisdiction with respect to all matters arising from
or related to the implementation of this Order.

XXX